

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DEVITRI DESHAUNE SANTOS,

Defendant.

Case No. 18-CR-20719-3
Honorable Thomas L. Ludington
Magistrate Judge Patricia T. Morris

**ORDER GRANTING DEFENDANT’S MOTION TO EXTEND TIME TO FILE
OBJECTIONS TO THE MAGISTRATE JUDGE’S REPORT AND
RECOMMENDATION**

On July 25, 2019, Defendant Devitri Deshaune Santos pled guilty to one count of conspiracy to possess with intent to distribute and to distribute cocaine in violation of 21 U.S.C. 841(a)(1) and (b)(1)(B)(ii). ECF No. 204. On November 8, 2019, he was sentenced to 160 months imprisonment. ECF No. 299. Defendant is currently housed at Federal Correctional Institution, Elkton (“FCI Elkton”) in Ohio.

On September 21, 2020, Defendant filed a motion to vacate his sentence under 28 U.S.C. § 2255. ECF No. 422. The motion was referred to Magistrate Judge Patricia T. Morris, as were subsequent motions related to it. ECF Nos. 429, 441, 448, 459. On February 9, 2021, Magistrate Judge Morris entered her Report and Recommendation. ECF No. 469. The Report and Recommendation stated that Defendant had 14 days to file objections. *Id.* at PageID.2287.

On February 18, 2021, Defendant sent a letter seeking a 15-day extension with which to “respond” to some unidentified filing. ECF No. 475. Due to mailing delays, the letter was not docketed until March 2, 2021. Defendant explains that because of mailing delays at his facility, “[i]nmates are not receiving personal or legal mail in a timely manner.” *Id.* at 2308. He also

explains that he needs additional time to access the law library given its limited availability during the pandemic. *Id.*

Under the circumstances, Defendant's letter is best construed as a motion for an extension of time to file objections to the Report and Recommendation. Based on the foregoing, Defendant has demonstrated good cause for an extension.

Accordingly, it is **ORDERED** that Defendant's Motion for an Extension of Time to File Objections to the Magistrate Judge's Report and Recommendation, ECF No. 475, is **GRANTED**. Defendant's objections to the Report and Recommendation must be filed **on or before March 19, 2021**.

Dated: March 4, 2021

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney of record herein by electronic means and to Devitri Deshaune Santos #57032-039, FCI ELKTON FEDERAL CORRECTIONAL INSTITUTION, P.O. BOX 10, LISBON, OH 44432 by first class U.S. mail on March 4, 2021.

s/Kelly Winslow
KELLY WINSLOW, Case Manager